

REMARKS

Applicant respectfully requests consideration of the subject application as amended herein. This Amendment is submitted in response to the Office Action mailed on September 29, 2009. Claims 1-7 and 21-32 are pending. Claims 1-6 and 21-32 are rejected. Claim 7 is objected to. In this Amendment, claims 1, 21, and 27 have been amended. It is respectfully submitted that the amendments do not add new matter because support for the amendments may be found at least in paragraphs 28, 34, and 35 of the specification as originally filed. No new matter has been added. No claims have been canceled. Therefore, claims 1-7 and 21-32 are presented for examination.

SUMMARY OF THE INTERVIEW

Applicant thanks the Examiner and the Supervisory Patent Examiner (SPE) for the telephonic interview conducted on December 15, 2009. Applicant summarizes the interview as having discussed the differences between the proposed amendments and the currently cited prior art. No agreement on patentability was reached. The SPE, however, recommended adding the element of determining whether an IP address is a primary address or a backup address based on its position within the symbolic name field, which would overcome the currently cited art. The claims have been amended to claim determining which of the plurality of addresses that are encoded in the symbolic name field is the backup address based on a position of each of the plurality of addresses within the symbolic name field.

Allowable Subject Matter

The Examiner has objected to claim 7 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant notes with appreciation the Examiner's indication of allowable subject matter. In view of the above amendments and remarks, applicant submits that claim 7 now depends from an allowable base claim, and therefore declines to amend claim 7 at this time.

Rejections Under 35 U.S.C. § 112

Claims 21 and 27 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner stated that it is unclear which device detects the link failure.

Claims 21 and 27 have been amended to claim “detecting, by the storage device, a link failure between the second storage device and a third storage device” to clarify that the storage device is detecting the link failure. Applicant, therefore, respectfully submits that the Examiner remove the rejection under 35 U.S.C. § 112, second paragraph.

Rejections Under 35 U.S.C. § 103

Claims 1-6 and 21-32

Claims 1-6 and 21-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kumar Malavalli et al., (“Fibre Channel Generic Service-3 (FC-GS-3)”, NCITS working draft proposed American National Standard for Information Technology, January 13, 2000, hereinafter “Malavalli”) in view of Betker (U.S. Patent No. 7,362,717, hereinafter “Betker”) and further in view of Bessire (U.S. Patent No. 7,055,056, hereinafter “Bessire”).

Malavalli discloses a symbolic port name having a minimum of 0 and a maximum of 255 bytes. Malavalli further describes that the contents of these bytes are not defined.

Betker discloses allowing a group of switch modules to be combined into a single switch for name server operations to allow efficient execution of name server commands. Betker furthers describes that an example of a name server command is GSPN_ID (Get Symbolic Port Name).

Bessire discloses a computer system having two iSCSI controller cards for ensuring the availability of a storage system.

Independent claims 1, 21, and 27 claim determining the backup address based on positions of the addresses within the symbolic name field, as amended.

Malavalli cannot be properly interpreted as teaching or suggesting determining the backup address based on positions of the addresses within the symbolic name field as claimed because Malavalli does not describe that there is a plurality of addresses encoded in the symbolic name field. Malavalli, in fact, teaches away by describing that the contents of the bytes of the

symbolic port name *are not defined*. Malavalli, thus, does not describe that the symbolic name is encoded with a plurality of addresses. Malavalli, therefore, does not teach or suggest determining the backup address based on positions of the addresses within the symbolic name field, as claimed.

Betker also cannot be properly interpreted as teaching or suggesting these elements of independent claims 1, 21, and 27. Betker does not describe that there is a plurality of addresses encoded in the symbolic name field because no part of Betker discloses the contents of the symbolic name field. Betker describes that an example of a name server command is GSPN_ID (Get Symbolic Port Name), but fails to describe the contents of a symbolic name field. Betker, therefore, does not teach or suggest determining the backup address based on positions of the addresses within the symbolic name field, as claimed.

Bessire also cannot be properly interpreted as teaching or suggesting these elements of independent claims 1, 21, and 27 because no part of Bessire describes a symbolic name field. Bessire, thus, does not teach or suggest that there is a plurality of addresses encoded in the symbolic name field. Bessire, therefore, does not teach or suggest determining the backup address based on positions of the addresses within the symbolic name field, as claimed.

For the reasons stated above, the combination of Malavalli, Betker, and Bessire fails to teach or suggest determining the backup address based on positions of the addresses within the symbolic name field, as claimed. Applicant, therefore, respectfully submits that independent claims 1, 21, and 27 are patentable over the cited references. Given that dependent claims 2-6 depend, either directly or indirectly, from independent claim 1, dependent claims 22-26 depend, either directly or indirectly, from independent claim 21, and dependent claims 28-32 depend, either directly or indirectly, from independent claim 27, applicant respectfully submits that these dependent claims are also patentable over the cited references. Accordingly, applicant respectfully requests that the rejection of claims 1-6 and 21-32 under 35 U.S.C. § 103(a) be withdrawn.

SUMMARY

Claims 1-7 and 21-32 are currently pending. In view of the foregoing amendments and remarks, applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact the undersigned at (408) 720-8300.

Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then applicant hereby requests such extension.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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